

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DAWN R. APLEY,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 11-15469

Hon. Gerald E. Rosen

Magistrate Judge Mona K. Majzoub

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 29, 2013

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On January 29, 2013, Magistrate Judge Mona K. Majzoub issued a Report and Recommendation ("R & R") recommending that the Court grant in part Plaintiff Dawn R. Apley's motion for summary judgment, deny the Defendant Commissioner of Social Security's motion for summary judgment, and remand this matter to the Defendant Commissioner for further proceedings. No objections have been filed to the R & R. Upon reviewing the R & R, the parties' underlying cross-motions for summary judgment, and the record as a whole, the Court concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's January 29, 2013 Report and Recommendation (docket #15) is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Plaintiff's April 30, 2012 motion for summary judgment (docket #11) is GRANTED IN PART, and that Defendant's June 29, 2012 motion for summary judgment (docket #13) is DENIED. In accordance with these rulings, this case will be remanded to the Defendant Commissioner for further proceedings consistent with the Magistrate Judge's R & R.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: March 29, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 29, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135